

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

MOTION DENIED

this 14
2013 day of May

LOUISE DELAHANAN

UNITED STATES DISTRICT JUDGE

No. 7:10CR000015-001FL

UNITED STATES OF AMERICA,)
) RENEWED
) MOTION FOR 10% SURCHARGE
 v.) 28 U.S.C. § 3011
)
 FREEDMAN FARMS, INC.,)
)
 Defendant.)

The United States of America, by and through the United States Attorney's Office for the Eastern District of North Carolina, moves for a surcharge of ten (10%) percent of the outstanding debt as provided by 28 U.S.C. § 3011 and in support shows unto the Court the following:

1. That the Defendant is indebted to the United States in the amount of \$998,056.00, such debt arising from a judgment entered. This debt does not reflect a ten (10%) percent surcharge pursuant to 28 U.S.C. § 3011, nor has the United States received an attorney's fee in connection with the claim.

2. That this debt arose on or after May 29, 1981, and is subject to the provisions of the Federal Debt Collection Procedures Act. 28 U.S.C. § 3005.

3. The United States has begun a "proceeding under subchapter B or C...[and] is entitled to recover a surcharge of ten (10%) percent of the amount of the debt in connection with the recovery of the debt,